

REMARKS

Applicants have carefully reviewed the Office Action dated December 29, 2004. Claims 1-28 have been cancelled and claims 29-52 were rejected. Claims 29, 36 and 44 have been amended in this response.

Claims 29-52 were rejected based on the judicially created doctrine of double patenting. Applicants include with this response a terminal disclaimer in compliance with 37 CFR 1.321(c). With this terminal disclaimer, Applicants assert that the rejection of claims 29-52 based on the judicially created doctrine of double patenting has been overcome.

Claims 29-52 were rejected under 35 U.S.C. §102(a) as being anticipated by Ostrovsky et al., U.S. Patent 6,447,530 (hereinafter Ostrovsky). Applicants respectfully traverse this rejection. In order for a reference to anticipate a claim, each and every element of the claim must be present in the reference. *See* M.P.E.P. §2131. At least one element of independent claims 29, 36 and 44 is missing from Ostrovsky. Ostrovsky does not disclose a filter wherein the hub defines a narrow portion of the filter and the arms define a wide portion of the filter, wherein the retrieval device engages the narrow portion of the filter.

Because Ostrovsky is missing at least one element of independent claims 29, 35 and 44, Applicants assert that Ostrovsky does not anticipate these claims, and that these claims are therefore patentable. In addition, because they are dependent on claims 29, 35 and 44, and because they contain additional patentably distinct elements, Applicants assert that claims 30-34, 36-43 and 45-52 are also not anticipated by Ostrovsky.

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that the claims are now in condition for allowance, issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

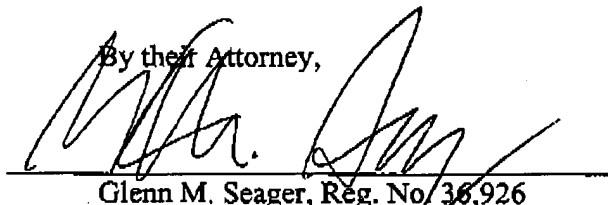
Respectfully submitted,

NAROUN SUON ET AL.

By their Attorney,

Date:

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